THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.22593 of 2005

Dated 20-10-2005

Between:

A. Narayana Goud.

...Petitioner

And

The A.P.S.R.T.C., rep. by its Managing Director, Musheerabad, Hyderabad, and two others.

… Respondents

THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.22593 of 2005

O R D E R:

This writ petition is filed seeking to declare the order dated 02-04-1997 passed by the third respondent imposing punishment of stoppage of three increments with cumulative effect as confirmed by the second respondent by order dated 15-07-1997 as arbitrary and illegal.

The learned counsel for the petitioner states that the respondents imposed the punishment of stoppage of three increments without

conducting a detailed enquiry and that since such punishment is a major punishment, unless and until a detailed enquiry is conducted, the respondents would not have imposed such punishment.

Per contra, the learned counsel for the respondents contends that since there is delay in approaching this Court, the punishment imposed by the respondents does not suffer from any irregularity or infirmity since the power of imposing such punishment is vested with the respondent-Corporation.

However, the learned counsel for the petitioner states that since criminal proceedings in this regard are pending, he could not approach this Court within time.

Be that as it may, since the punishment of stoppage of three increments with cumulative effect is a major punishment, as rightly contended by the learned counsel for the petitioner, it was not open to the respondents to impose such punishment merely based on a summary enquiry. The law is well settled in this regard. In the circumstances, there is no necessity to go into other details. However, to give quietus to the litigation here itself, I am of the opinion that the order of punishment of stoppage of three increments with cumulative effect may be treated as without cumulative effect.

With the above modification, the writ petition is disposed of. No costs.

_____ **(C.V.RAMULU, J)**

Dated:20-10-2005

ghn